

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

GEORGE D. MCLEARY, III,)	No. ED103282
)	
Appellant,)	Appeal from the Circuit Court of
)	Montgomery County, Missouri
vs.)	14AA-CC00008
)	
STATE OF MISSOURI,)	Honorable Wesley C. Dalton
)	
Respondent.)	Filed: June 7, 2016

McLeary appeals the denial without an evidentiary hearing of his Rule 29.15 motion for post-conviction relief. In his sole point on appeal, McLeary claims he received ineffective assistance of counsel because his trial attorney failed to object when the State cross-examined his girlfriend, Mary Mehrle, about the details of her prior shoplifting violation in which she had purportedly stolen pseudoephedrine, an ingredient used in the manufacture of methamphetamine.

AFFIRMED.

DIVISION THREE HOLDS: The motion court did not clearly err in denying McLeary's Rule 29.15 motion because McLeary cannot prove the prejudice prong of his ineffective assistance of counsel claim given the overwhelming evidence against McLeary.

Opinion by: James M. Dowd, J.

Robert M. Clayton III, P.J., Lawrence E. Mooney, J., concur

Attorney for Appellant: Amy Marie Bartholow

Attorney for Respondent: Dora A. Fichter

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
